

HCS#2 HBs 1100 & 1421 -- FOOD PREPARATION

SPONSOR: Fraker

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Professional Registration and Licensing by a vote of 21 to 4.

This bill allows a nonprofit organization to prepare food in a private home or other area for distribution to the end consumer at a charitable fundraising event.

The nonprofit organization must inform the consumer by placing a clearly visible placard at the serving location that states the food was prepared in a kitchen that is not subject to regulation and inspection by the regulatory authority.

Also, the nonprofit organization may notify the regulatory authority in writing or via email prior to the beginning of the event. If made, the notification must include the name of the nonprofit organization; date, time, and location of the event; and the name and contact information of the person responsible for the event.

The bill does not apply to a food establishment that is regulated by the Department of Health and Senior Services that provides food for the event.

The bill specifies that a cottage food production operation, which is defined as an individual operation out of the individual's home who produces a baked good, a canned jam or jelly, or a dried herb or herb mix for sale at the individual's home; has an annual gross income of \$50,000 or less; and sells the food produced only directly to consumers, is not a food service establishment and cannot be subject to any state or local food code laws or regulations. The Department of Health and Senior Services is required to establish rules requiring a cottage food production operation to label all foods intended for sale with the name and address of the operation and a statement that the food is not inspected by the department or a local health department. An operation cannot sell cottage foods through the Internet.

Nothing in the bill would prohibit the department from conducting an investigation of a foodborne disease or outbreak.

PROPOSERS: Supporters of HB 1100 say that in certain areas of the state the county health department has gone to an extreme in regulating what foods can be prepared and sold at charitable events by nonprofit organizations. The bill exempts these organizations from the inspection requirements of the local health department.

Supporters of HB 1421 say that it allows a person to sell individually prepared baked goods, can goods, and other food items out of his or her home without being regulated by the Department of Health and Senior Services and the local health department.

Testifying for HB 1100 were Representative Fraker; Gerald Neal; Bruce Hillis; and Reverend Nichols Inman.

Testifying for HB 1421 was Representative Parkinson.

OPPONENTS: Opponents of HB 1100 say that local health officials try to work with these civic groups to educate them on the proper preparation, serving and storage. Foodborne outbreaks can be very dangerous and costly and their main concern is public safety.

There was no opposition voiced to the committee regarding HB 1421.

Testifying against HB 1100 were Janet Murray, Randolph County Health Department; Kala Welkenborg, Columbia/Boone County Public Health and Missouri Environmental Health Association; and Tiffany Klassen and Chris Saxtan, Cass County Health Department.